

**CITY COUNCIL OF ALEXANDRIA, VIRGINIA****Regular Meeting****Tuesday, January 10, 2006 - - 7:00 p.m.**

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**Present:** Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald, Paul C. Smedberg and Joyce Woodson.

**Absent:** None.

**Also Present:** Mr. Hartmann, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Deputy City Manager; Mr. Jinks, Deputy City Manager; Mr. Baier, Director, Transportation and Environmental Services (T&ES); Ms. Fogarty, Director, Planning and Zoning (P&Z); Ms. Boyd, Director, Citizens Assistance; Ms. Collins, Director, Department of Human Services; Mr. Kincannon, Director, Recreation, Parks and Cultural Activities; Ms. Lisa Baker, Director, Office on Women; Ms. Emily Baker, City Engineer; Deputy Police Chief Cook; Mr. Mason, Acting Public Information Officer/Special Assistant to the City Manager; Mr. Skrabak, Division Chief, T&ES; Ms. Simmons, Eligibility Supervisor, Department of Human Services; Ms. Taraki, Department of Human Services; Mr. Josephson, Deputy Director, P&Z; Ms. Chis, Deputy Director, Department of Human Services; Mr. Rodriguez, General Services; Mr. Sood, ITS; Ms. Johnson, ITS; and Police Lt. Uzzell.

**Recorded by:** Gloria Sitton, Deputy City Clerk and Clerk of Council.

**OPENING**

1. **Calling the Roll.**

The meeting was called to order by Mayor Euille, and the Deputy City Clerk called the roll; all the members of City Council were present.

**NEW BUSINESS ITEM NO. 1:** Mayor Euille recognized former City Council Vice Mayor, Lionel Hope, who was in the audience visiting.

2. **Moment of Silence and Pledge of Allegiance.**

City Council observed a moment of silence and recited the Pledge of Allegiance.

3. Reading and Acting Upon the Minutes of the Following Meetings of City Council:

- (a) The Regular Meeting Minutes of December 13, 2005; and
- (b) The Public Hearing Meeting Minutes of December 17, 2005.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the minutes of the regular meeting of December 13, 2005 and the minutes of the public hearing meeting of December 17, 2005. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

**RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL**

None.

**PROCLAMATIONS**

4. Presentation of a Proclamation Recognizing Department of Human Services Employee Anna Taraki as City Employee of the Month.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilwoman Woodson and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Smedberg	"aye"	Pepper	"aye"
Woodson	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

**NEW BUSINESS ITEM NO. 2:** Mayor Euille presented a check in the amount of \$5,000 from the William D. Euille Foundation to the Department of Human Services Charitable Fuel Fund.

5. Presentation of a Proclamation Declaring January as Stalking Awareness Month.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of

Council, marked Exhibit No. 1 of Item No. 5; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Gaines, seconded by Vice Mayor Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Gaines	"aye"	Krupicka	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

6. Presentation of a Proclamation Declaring January 15-21, 2006 as Jaycee Week.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

7. Presentation of a Proclamation Expressing Appreciation to the Donor of the Christmas Tree at Market Square.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Macdonald, seconded by Councilman Gaines and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Macdonald	"aye"	Pepper	"aye"
Gaines	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

8. Presentation of a Proclamation Recognizing Members of the Beverley Hills Garden Club for the Holiday Decorations at City Hall.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Krupicka	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

9. Presentation of Proclamation Declaring Sunday, January 15 as Martin Luther King, Jr. Day in Alexandria and Setting Aside January 8-16 in Memorial Observance of the Late Dr. King and His Numerous Contributions to the American Way of Life.

(A copy of the proclamation is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilwoman Woodson and carried unanimously, City Council endorsed the proclamation. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

## **REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

### **CONSENT CALENDAR (10-14)**

#### **(Resignations and Uncontested Appointments)**

10. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:
- (a) Alexandria Board of Architectural Review - Parker-Gray District  
James J. Luby
  - (b) Alexandria Commission on Aging  
Susan Cavanaugh

- (c) Alexandria Commission on Persons With Disabilities  
Carl Robert Lee

(A copy of the above resignations is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 10 (a-c); 01/10/06, and is incorporated as part of this record by reference.)

11. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria-Caen Exchange Committee  
1 Citizen Member
- (b) Alexandria Beautification Commission  
3 Citizen Members
- (c) Alexandria Commission on Aging  
4 Citizen Members (One of Whom Must Be 60 Years  
of Age or Older)
- (d) Alexandria Commission on Employment  
1 Representative From Such Organizations As Educational  
Agencies, Organized Labor, Rehabilitation Agencies,  
Community-Based Organizations, Economic Development  
Agencies, and the Public Employment Service
- (e) Alexandria Landlord-Tenant Relations Board  
1 Low-Income Tenant
- (f) Alexandria Law Library Board  
1 Citizen Member
- (g) Alexandria Public Health Advisory Commission  
1 Non-Health Professional  
1 Representative of the Alexandria Medical Society  
1 Representative of the Alexandria Emergency Medical  
Services Council
- (h) Alexandria Sanitation Authority  
1 Citizen Member
- (i) Alexandria Sister Cities Committee  
1 Citizen Member
- (j) Alexandria Social Services Advisory Board  
1 Parent Member  
1 Citizen Member

- (k) Alexandria Woodrow Wilson Bridge Neighborhood Task Force  
1 Representative From the Eisenhower Valley Business  
Community

(A copy of the above appointments is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 11 (a-k); 01/10/06, and is incorporated as part of this record by reference.)

**(Reports and Recommendations of the City Manager)**

12. Consideration of Renewal Grant Application for Funding to Continue the Domestic Violence Intervention Program.

(A copy of the City Manager's memorandum dated January 4, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 01/10/06, and is incorporated as part of this record by reference.)

13. Acceptance of Subgrant Award of Urban Areas Security Initiative Funds For City Radio Coverage in Transit Tunnels.

(A copy of the City Manager's memorandum dated January 4, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 01/10/06, and is incorporated as part of this record by reference.)

**(Ordinances for Introduction)**

14. Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Revise the Design-Build and Construction Management Contract Provisions of the City Code.

(A copy of the City Manager's memorandum dated January 5, 2006, is on file in the Office of the City Clerk and Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 01/10/06, and is incorporated as part of this record by reference.

A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 14; 01/10/06, and is incorporated as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 14; 01/10/06; and is incorporated as part of this record by reference.)

**END OF CONSENT CALENDAR**

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Gaines and carried unanimously, City Council approved the consent calendar. The City Manager's recommendation were as follows:

10. City Council accepted the following resignations with regret: (a) James J. Luby, Alexandria Board of Architectural Review - Parker-Gray District; (b) Susan Cavanaugh, Alexandria Commission on Aging; and (c) Carl Robert Lee, Alexandria Commission on Persons with Disabilities.

11. City Council made the following appointments: (a) appointed Anthony Smith as the citizen member to the Alexandria-Caen Exchange Committee; (b) reappointed Ruth McKenty, appointed Friedrich Schlich and reappointed Bette Jo Sullivan as the three citizens members to the Alexandria Beautification Commission; (c) reappointed Cedar Dvorin, Scott Frey and Joann Miller and appointed Bernard Kellom as the four citizen members, one of whom must be 60 years of age or older, to the Alexandria Commission on Aging; (d) waived the residency requirement and reappointed Franklyn Malone as the representative from such organizations as educational agencies, organized labor, rehabilitation agencies, community-based organizations, economic development agencies, and the public employment service to the Alexandria Commission on Employment; (e) reappointed Geraldine Baldwin as the low-income tenant to the Alexandria Landlord-Tenant Relations Board; (f) appointed Linda Cullen as the citizen member to the Alexandria Law Library Board; (g) reappointed Arlene Hewitt as the non-health professional, reappointed John Klousia as the representative of the Alexandria Medical Society, and waived the residency requirement and appointed Vincent Whitmore as the representative of the Alexandria Emergency Medical Services Council to the Alexandria Public Health Advisory Commission; (h) reappointed Edward Semonian as the citizen member to the Alexandria Sanitation Authority; (i) appointed Carlos Davila as the citizen member to the Alexandria Sister Cities Committee; (j) appointed Jason Dechant as the parent member and Paul Cox as the citizen member to the Alexandria Social Services Advisory Board; and (k) appointed Janet Gregor as the representative from the Eisenhower Valley Business Community to the Alexandria Woodrow Wilson Bridge Neighborhood Task Force.

12. City Council approved the grant application to the U.S. Department of Justice for a total of \$98,420, which require no local matching funds and authorized the City Manager to execute all necessary documents.

13. City Council approved the sub-grant award of \$264,583, for which there is no required City match and authorized the City Manager to execute all necessary documents.

14. City Council passed the ordinance on first reading and scheduled it for public hearing, second reading and final passage on January 21, 2006.

The voting was as follows:

Krupicka	"aye"	Pepper	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

## CONTESTED APPOINTMENTS

15. Alexandria Building Code Board of Appeals  
1 Citizen Member

(The following persons volunteered for appointment to the above Commission)

NAME: ENDORSED BY:

Thomas Downey  
Robert Emard

(Material pertaining to the above appointment is on file in the Office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 15; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, ballots were distributed, tellers were appointed and the ballots tallied with the following results: City Council reappointed Thomas Downey as the citizen member to the Alexandria Building Code Board of Appeals. The voting was as follows:

Euille	-	Downey
Pepper	-	Downey
Gaines	-	Downey
Krupicka	-	Downey
Macdonald	-	Emard
Smedberg	-	Downey
Woodson	-	Downey

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

16. Receipt of the Proposed Minor Amendments to the City Council's Strategic Plan and the Strategic Plan Status Report and Setting Them for Public Hearing on Saturday, January 21.

(A copy of the City Manager's memorandum dated January 5, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman



Macdonald and carried unanimously, City Council received the proposed minor amendments to its Strategic Plan and the Strategic Plan Status Report and set these items for public hearing and consideration on Saturday, January 21. Council requested that the Archaeological Commission be notified of the public hearing so that they may present their proposed revisions at that time. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Macdonald	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	"aye"
	Woodson	"aye"	

## **REPORTS AND RECOMMENDATIONS FROM BOARDS, COMMISSIONS AND COMMITTEES**

**None**

## **ORAL REPORTS BY MEMBERS OF CITY COUNCIL**

(a) Councilman Gaines reported that he represents Council on the Council of Governments Transportation Planning Board and he noted that the City of Alexandria is seeking to host the Street Smart Pedestrian and Bicycle Safety Campaign. He reported that he is working with Transportation and Environmental Services staff to coordinate the event, with the possible site to be the Concourse of the Patent and Trademark Office.

(b) Councilman Gaines congratulated Councilman Macdonald for being reappointed by Governor Warner to the Interstate Commission on the Potomac River Basin.

(c) Mayor Euille reported that the Governor's BRAC Commission has some regional recommendations about the BRAC closings and how they affect the Northern Virginia region, and Governor Warner has attempted to incorporate some financial impacts as part of the proposed State budget.

(d) Mayor Euille reported that the Northern Virginia Transportation Commission adopted their legislative package representing a commitment to support a dedicated funding stream for the WMATA bus and rail system. Mayor Euille noted that the Northern Virginia Transportation Regional Authority has adopted a similar package as well.

(e) Councilman Smedberg noted that part of the Northern Virginia Transportation Commission's legislative package is the promotion of the initiative for motor vehicles to stop in pedestrian crossways.

(f) Councilman Smedberg congratulated Mayor Euille on being elected Secretary/Treasurer of the Northern Virginia Transportation Commission. Councilman

Smedberg also noted that Mayor Euille would serve on the Executive Committee of the Northern Virginia Transportation Commission.

(g) Councilman Macdonald mentioned that Andrew Palmieri finished a successful term as chair of the Waterfront Committee and thanked him for his efforts. Councilman Macdonald reported that Susan Petty is the new chair of the Waterfront Committee.

(h) Councilman Macdonald congratulated Councilman Gaines on being named Governor-elect of the subcommittee on Commonwealth Preparedness.

### **ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL**

(a) Vice Mayor Pepper recognized the passing of two very active citizens in Alexandria: Helen Miller and Don Edwards.

(b) Councilman Gaines recognized Barbara Fox Mason of the Child and Family Network Center for being named Washingtonian of the Year by the Washingtonian Magazine.

(c) Councilman Gaines reported that Melanie DeMayo submitted an article to the Alexandria Gazette Packet about the daily challenges faced by people with disabilities. Councilman Gaines noted that he shared commutes with Ms. DeMayo and other members of the disability community in order to understand the challenges they face and how the City policies can help ensure that their commutes are accessible as possible. Councilman Gaines thanked Ms. DeMayo, Jane Kachulis, Chet Avery and Tara Hughes for their input on some upcoming policy initiatives.

(d) Councilman Gaines reported that he was co-sponsoring a film screening with the Alexandria Gay and Lesbian Community Association on January 19 at 7:30 p.m. at the Durant Community Center. All proceeds will benefit the Scholarship Fund of Alexandria.

### **Reconsideration of Docket Item #6 from the December 17, 2005 Public Hearing Meeting:**

(e) **WHEREUPON**, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried 5-2, City Council rescinded the vote on the Special Use Permit for the property at 301 LaVerne Avenue and directed staff to redocket the item next month and work with the applicant on a plan that would be consistent in scale with the neighboring property and that maximizes the light and air on the corner of the property. The voting was as follows:

Krupicka	"aye"	Pepper	"no"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Macdonald	"no"

Woodson "aye"

Councilman Macdonald requested that staff provide all records pertaining to votes from the Del Ray Civic Association to Council.

(f) Councilman Smedberg thanked City Manager Hartmann and Director of Transportation and Environmental Services Baier for the memorandum on leaf collection in the City. Councilman Smedberg suggested that there be some explanation in the upcoming FYI Alexandria about the leaf collection this year.

Mayor Euille stated that the FYI Alexandria would explain that the City has a standing commitment to provide the citizens of Alexandria prompt delivery of services, including trash pickup and leaf collection and the City apologizes for any inconvenience caused by the delay.

Councilman Macdonald suggested that maybe there is a more effective way to deal with the pickup, such as bagging the leaves.

Councilman Krupicka requested that staff explore the possibility of using biodegradable bags for leaf collection next year.

#### **Reconsideration of Legislative Package:**

(g) **WHEREUPON**, upon motion by Councilman Smedberg, seconded by Councilman Gaines and carried unanimously, City Council deleted the item in the City's Legislative Package dealing with the use of funds for the purchase of open space. The voting was as follows:

Smedberg	"aye"	Pepper	"aye"
Gaines	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
Woodson	"aye"		

(h) Councilman Smedberg requested information on why the Lee Center received the \$50,000 donation from Whole Foods.

Director of Recreation, Parks and Cultural Activities Kincannon explained how the donation was received and how the money was allocated to the playground at the Lee Center.

Council and staff participated in a discussion about the donation to the Lee Center and how future donations would be handled by the City.

(i) Councilwoman Woodson requested an update on the financial assistance to citizens whose homes need weatherization for the winter months. Councilwoman Woodson thanked Mayor Euille for his donation to the Department of Human Services

Charitable Fuel Fund and requested information about the possible donation from Home Depot.

City Manager Hartmann reported that the Department of Human Services has been trying to contact Home Depot to no avail. Mr. Hartmann noted that if no response is received from Home Depot, other businesses will be contacted to see if they want to participate in the program.

(j) Mayor Euille mentioned other individuals who were also recognized by the Washingtonian Magazine, including Joe Yuca, Executive Director/Founder of the Seaport Foundation and two local restaurants that were recognized: La Lucia and Restaurant Eve.

(k) Mayor Euille recognized the passing of some Alexandrians including Helen Miller, Don Edwards, Allan Voorhees, and Beverly Montcastle. Mayor Euille also expressed condolences to City Manager Jim Hartmann for the loss of his mother.

(l) Mayor Euille encouraged citizens to donate blood at the INOVA Hospital because there is an urgent need for blood.

(m) Mayor Euille gave his New Year's address stating that 2006 was a new beginning and new chance for the citizens to rededicate and commit to becoming involved in making a difference in the world and our community. Mayor Euille encouraged the citizens to participate in the upcoming election for Mayor and Council. Mayor Euille also encouraged citizens to explore Alexandria and discover all the assets it has to offer.

## **ORAL REPORT FROM THE CITY MANAGER**

City Manager Hartmann reported on the following:

(a) Update on the ongoing Mirant situation. City Manager Hartmann referred the discussion to Director of Transportation and Environmental Services Baier and City Attorney Pessoa.

Director of Transportation and Environmental Services Baier gave an update on the activities that have occurred concerning the ongoing situation with the Mirant plant.

City Attorney Pessoa reported on the legal issues surrounding the ongoing Mirant situation, including the current litigation that is in court.

(b) Director Baier gave an update on the Monroe Avenue Bridge project, reporting on the liaison group meeting and discussion of the key issues that were raised at the initial meeting on the bridge construction.

(c) City Manager Hartmann noted that Police Captain Eddie Reyes is seeking

some office space in Arlandria to create a resource center and he is eager to work with other City departments to improve Arlandria. City Manager Hartmann reported that a community meeting is scheduled for January 30 at the Cora Kelly Recreation Center at 7:00 p.m., to discuss Arlandria.

(d) City Manager Hartmann reported that the Alexandria Economic Summit IV will be held January 28, 2006 from 8:30 a.m. - 12:30 p.m., at the Radisson Hotel at 901 North Fairfax Street.

## **ORDINANCES AND RESOLUTIONS**

17. Consideration of a Resolution Authorizing the Issuance of Bonds by the Industrial Development Authority of the City of Alexandria for the Institute for Defense Analysis. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated January 4, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 01/10/06, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council approved the resolution authorizing the issuance of bonds by the Industrial Development Authority of the City of Alexandria for the Institute for Defense Analysis. The vote was follows:

Pepper	"aye"	Gaines	"aye"
Smedberg	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Woodson	"aye"	

The resolution reads as follows:

### **RESOLUTION NO. 2173**

**WHEREAS**, the Industrial Development Authority of the City of Alexandria (the "Authority") has considered the application of Institute for Defense Analyses (the "Borrower"), an organization which is described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code"), requesting the issuance of the Authority's revenue bonds in an amount not to exceed \$200,000,000 (the "Bonds") at one time or from time to time in one or more series pursuant to a plan of finance to assist the Borrower in financing or refinancing certain of the costs of the acquisition, development, construction and equipping of approximately 4.14 acres of land located at 4860 Mark Center Drive, in the City of Alexandria, Virginia, including the construction and development of an approximately 3,000 square foot tennis court and/or basketball court and other improvements designed to meet the Borrower's long-term expansion needs, which may include an approximately 360,000 square foot, eleven-story office building with underground parking, along with costs of issuance, bond insurance

premiums, other credit enhancement fees, construction period interest, the funding of reserves and other eligible expenditures (collectively, the "Project") and has held a public hearing in connection therewith on December 13, 2005;

**WHEREAS**, Section 147(f) of the Code provides that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds;

**WHEREAS**, the Authority issues its bonds on behalf of the City of Alexandria, Virginia (the "City"); the facilities of the Borrower described above are located in the City and the City Council of the City (the "Council") constitutes the highest elected governmental unit of the City;

**WHEREAS**, the Authority has recommended that the Council approve the issuance of the Bonds; and

**WHEREAS**, a copy of the Authority's resolution approving the issuance of the Bonds, subject to the terms to be agreed upon, a certificate of the public hearing and a Fiscal Impact Statement have been filed with the Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ALEXANDRIA, VIRGINIA:**

1. The Council approves the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by Section 147(f) of the Code and Section 15.2-4906 of the Code of Virginia of 1950, as amended (the "Virginia Code"), to permit the Authority to assist in funding the Project.
2. The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Bonds or the Borrower.
3. The issuance of revenue bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia or the City of Alexandria, Virginia, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of such bonds.
4. This resolution shall take effect immediately upon its adoption.

**OTHER**

18. Consideration of City Council Schedule.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilwoman

Woodson and carried unanimously, City Council adopted the City Council Schedule for the months of January 2006 through June 2006, with the following additions and changes: the Celebration of the 20th Anniversary of the Lyceum as Alexandria's History Museum on Thursday, January 19 from 7:00 p.m. to 9:00 p.m, at the Lyceum, 201 South Washington Street; the Arlandria community meeting with Council, businesses and area residents on Monday, January 30 at 7:00 p.m. in the gymnasium at Cora Kelly Recreation Center, 25 West Reed Avenue; and change the date of the Council tour of the Archives and Records Center to Thursday, March 16 at 7:30 p.m. at the Center. City Council added a joint Work Session with the Planning Commission on Tuesday, January 24, 2006 at 5:30 p.m., in the Council Work Room. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	"aye"	

## EXECUTIVE SESSION

19. Consideration of Convening An Executive Session Closed to the Public for Discussion of Probable Litigation, pursuant to Section 2.2-3711(A)(7) of the *Code of Virginia* .

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, City Council convened in executive session at 9:28 p.m., pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for the purpose of discussing the probable litigation by and against the City arising from the Tanyard Ditch Sewer Project. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, at 9:50 p.m., City Council reconvened the meeting. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously by roll-call vote, City Council adopted the resolution pertaining to the Executive Session. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

The resolution reads as follows:

#### RESOLUTION NO. 2174

WHEREAS, the Alexandria City Council has this 10th day of January 2006, recessed into closed executive session pursuant to a motion made and adopted in accordance with the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such closed executive session was conducted in accordance with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby certify that, to the best of each member's knowledge, only public business matters that were identified in the motion by which the closed executive session was convened, and that are lawfully exempted by the Freedom of Information Act from the Act's open meeting requirements, were heard discussed or considered by Council during the closed executive session.

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**THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED**, upon motion by Councilwoman Woodson, seconded by Councilman Smedberg and carried unanimously, the regular City Council meeting of January 10, 2006, was adjourned at 9:57 p.m. The voting was as follows:

Woodson	"aye"	Pepper	"aye"
Smedberg	"aye"	Gaines	"aye"
Euille	"aye"	Krupicka	"aye"
	Macdonald	"aye"	

APPROVED:

\_\_\_\_\_  
WILLIAM D. EUILLE MAYOR

ATTEST:

\_\_\_\_\_  
Gloria Sitton, CMC Deputy City Clerk